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Attorney Docket No.: SUN-P3987-JTF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Muller, *et al.*

Application No.: 09/314,782

Filed: May 19, 1999

For: APPARATUS AND METHOD FOR A  
MULTI-GIGABIT ETHERNET  
ARCHITECTURE



Group Art Unit: 2731

Examiner: Unassigned

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §§ 1.56 and 1.97, Attorneys for Applicant hereby invite the Examiner's attention to the references listed on the accompanying revised PTO Form 1449 entitled "List of References Cited by Applicant."

Identification of references listed on the accompanying PTO Form 1449 is not to be construed as an admission of Applicant or Attorneys for Applicant that such references are available as "prior art" against the subject application. Further, the right is reserved to antedate any included reference in accordance with standard procedure.

This submission is understood to complement the results of the Examiner's own independent search. The submission should not be construed as a representation that a search was made or that the cited references are inclusive of all the relevant and material citations that may be available publicly.

  X   (New Application) Copies of each cited publication and U.S. and foreign patent, except for pending U.S. applications, are submitted herewith, along with a concise explanation of foreign language publications (if any).

       (Continuation Application) The individual references in the accompanying "List of References" were cited by Applicants or the U.S. Examiner in the parent application, U.S. Serial No.           , filed on           . Pursuant to 37 C.F.R. § 1.98(d), copies of the items are not enclosed but may be found in the file history of U.S. Serial No.           .

Applicant respectfully requests that the listed references be considered by the Examiner and be made of record in the application identified above. The Examiner is requested to initial and return the enclosed PTO Form 1449 in accordance with MPEP § 609.

X 37 C.F.R. § 1.97(b). No fee is believed due with this statement, because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date; OR
- ☐ (2) It is being filed within 3 months of entry of a national stage; OR
- ☒ (3) It is being filed before the mailing date of the first Office Action on the merits.

☐ 37 C.F.R. § 1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, then:

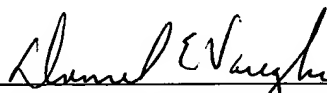
- ☐ a certification as specified in § 1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. § 1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee, then:

- A. a certification as specified in § 1.97(e) is completed below; **and**
- B. a petition under 37 C.F.R. § 1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in § 1.17(i) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

Respectfully submitted,

Date: January 31, 2001

By:   
Daniel E. Vaughan (Reg. No. 42,199)

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Please type a plus sign (+) inside this box → ☐



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<b>TRANSMITTAL FORM</b> <small>(To be used for all correspondence after initial filing)</small>	Application No.	09/314,782
	Filing Date	May 19, 1999
	First Named Inventor	Shimon Muller
	Group Art Unit	2731
	Examiner Name	Unassigned
Total Number of Pages in this Submission:	Attorney Docket No.	SUN-P3987-JTF

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached	<input type="checkbox"/> Assignment Papers for an application	<input type="checkbox"/> After-Allowance Communication to Group
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Affidavit/Declaration(s)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Power of Attorney by Assignee, with Revocation of Former Powers	<input checked="" type="checkbox"/> Additional Enclosure(s):
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Response to Missing Parts Notice/Incomplete Application	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> International Search Report
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Small Entity Statement	<input checked="" type="checkbox"/> 4 References
	<input type="checkbox"/> Request for Refund	<input checked="" type="checkbox"/> Form PTO-1449
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Name	Daniel E. Vaughan (Registration No. 42,199)	Date	January 31, 2001
Signature		Telephone	650/474-1973
Address	702 Marshall Street, Suite 310, Redwood City, CA 94063	Facsimile	650/474-1976

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the U. S. Postal Service as <input type="checkbox"/> Express Mail (No. EJ xxx yyy zzz US) or <input checked="" type="checkbox"/> First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: <u>January 31, 2001</u>			
Type or Printed Name	Daniel E. Vaughan	Signature	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.